

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DANIEL DAVID,
Petitioner,

No. CR 02-0062 SI
No. C 07-04081 SI

ORDER TO SHOW CAUSE

v.

HARLEY G. LAPPIN,
Respondent.

Daniel David, an inmate at Taft Correctional Center, filed this action seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2255. The petition is now before the Court for review pursuant to 28 U.S.C. §2243 and Rule 4 of the Rules Governing Section 2254 Cases. *See* Rule 1(b), Rules Governing Section 2254 Cases in the United States District Courts.

BACKGROUND

Following a jury trial in this Court, David was convicted of mail fraud, using a fictitious name for the purpose of conducting a fraudulent scheme, and money laundering. Petition at 1, 11. The Court sentenced David on May 6, 2005, to 30 months imprisonment and ordered David to pay \$444,198.91 in restitution, jointly and severally with his co-defendant Scott Nisbet. David appealed, and the Ninth Circuit affirmed his conviction on August 9, 2006. *See United States v. David*, 197 Fed. Appx. 564 (9th Cir. Aug. 9, 2006).